

REMARKS

Claims 12-22 were previously pending in the application. By the Amendment, Claims 12, 13, 15, 17-20 and 22 are currently amended, Claim 16 is canceled without prejudice, new Claims 23-25 have been added, and Claims 14 and 21 remain unchanged. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The claims stand rejected under the cited prior art of record. Specifically, Claims 12, 14-16 and 21 were rejected under 35 USC §102(b) over Pacella et al. (U.S. Patent No. 3,777,989). Claims 13, 17-20 and 22 were rejected under 35 U.S.C. §112, second paragraph.

Independent claim 12 defines a dishwasher including at least one washing container having a bottom area, a top area and a wall area that collectively form an interior of the washing container in which items to be washed can be disposed. A spraying device for spraying washing liquid into the interior of the washing container has at least one spray channel operable to guide therealong a washing liquid. The spray channel is integrated into at least one of the bottom, top and wall areas of the washing container and has openings in a side of the spray channel oriented in a direction towards the interior of the washing container for the passage therethrough of washing liquid. The side of the spray channel directed towards the interior of the washing container lies substantially in one plane with the surface of a respective one of the bottom, top or wall areas of the washing container directed towards the interior of the washing container in which the spray channel is integrated.

Claim 12 has been amended to include the subject matter of claim 16, and claim 16 has been canceled. With reference, for example, to Figs. 1 and 2, this feature of the invention relates to the side of the spray channel directed towards the interior of the washing container lying substantially in one plane with a surface of a respective one of the bottom, top or wall areas of the washing container. The Office Action contends that Fig. 7 in Pacella discloses a spraying device including a channel 148 to guide washing

liquid. The Office Action further contends that the channel is integrated into at least the bottom of the interior 126. Without conceding this characterization of Pacella, in contrast with the structure defined in claim 12, it is clear that the cover plate 150 in Pacella, which corresponds to a side of the spray channel directed toward the interior of the washing container, does not lie substantially in one plane with the bottom wall 126. Rather, the channel is formed in a trough as shown. In the invention defined in claim 12, as described in the specification, as a result of the one plane construction, flat surfaces are obtained at the bottom, top or wall area of the container, which on the one hand provide a pleasing visual appearance and on the other hand make it possible to arrange items to be washed in the immediate vicinity of the bottom, top or wall area of the washing container.

Since at least this subject matter is lacking in Pacella, Applicants submit that the rejection is misplaced. The dependent claims are allowable at least by virtue of their dependency on an allowable independent claim and also because they recite additional patentable subject matter.

Reconsideration and withdrawal of the rejection are respectfully requested.

With regard to the rejection under 35 U.S.C. §112, the claims have been amended to more clearly satisfy the requirements of §112. Withdrawal of the rejection is requested.

Claims 23-25 have been added. Claim 23 is dependent on claim 12 and is allowable at least by virtue of its dependency on an allowable independent claim. Claim 23 additionally recites that the washing container includes a number of spray channels which are not aligned parallel to one another. Since Pacella shows only a single spray channel, Applicants submit that Pacella does not anticipate this claim. Independent claim 24 recites that the spraying device includes a spray cover having a substantially U-shaped cross section, where free ends of the U-shaped spray cover are bent inward to fit the spray cover into the spray channel such that outward deflection of the free ends abuts the free ends against the side walls of the spray channel. In contrast, Pacella discloses a cover plate 150 secured by screws or the like. Independent claim 25 corresponds to the

embodiment shown in Fig. 5, reciting that the spraying devices lie in different planes within the washing container. Pacella similarly does not disclose this feature of the invention.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 12-15 and 17-25 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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